

Strasbourg, 12 September 2019

DS/DLAPIL(2019)1

Retention/Disposal schedule Treaty Office

Directorate of Legal Advice and Public International Law

1. Activities

The Secretary General of the Council of Europe is the depositary of the treaties in the Council of Europe Treaty Series (CETS). The tasks related to the exercise of depositary functions are carried out by the Treaty Office, which is responsible for the day-to-day administration of the treaties of the Council of Europe.

The Treaty Office publishes and is the custodian of the original texts of all the treaties. It receives and registers the ratifications, as well as any declarations and reservations that accompany them, and any withdrawal or modification thereof. It ensures that the documents it receives are in due and proper form and notifies them to the member States of the Council of Europe and other States or Organisations which are Parties to the treaties, as well as to the Secretariat General of the United Nations.

In addition, the Treaty Office safeguards legal acts related to Partial Agreements. It also registers and safeguards agreements concluded with other international organisations, states, or other entities. It maintains a list of these agreements, and provides access to the text of the agreements insofar as they are public.

2. Explanatory notes

The Treaty Office has an own archive, referred to as “Legal Archives” in this schedule.

Copies needed for the daily work, as well as the paper masters of some series, are kept in the documentation centre of the Treaty Office.

Access

The confidential access in this schedule refers to documents which are confidential for diplomatic reasons and where declassification is not foreseen; the access is limited to authorised staff.

Preservation

The paper originals belonging to the activity “Safeguarding treaties and their legal acts” are kept in fire/water proof cabinets. Physical access to the medium is limited to authorised staff.

This schedule comes into force on the date of signature. The master is kept by the Information Life Cycle Section, and the Records and archive correspondent will receive a link to the record in RMS.

When not indicated otherwise, the disposition Preservation means that records in the series concerned are kept permanently for their archival value.

Abbreviations

- CETS: Council of Europe Treaty Series
- CM: Committee of Ministers
- DLAPIL: Directorate of Legal Advice and Public International Law
- EDQM: European Directorate for the Quality of Medicines
- OCR: Optical Character Recognition
- RMS: Records Management System
- SG: Secretary General
- UN: United Nations

3. Vital records

The records series of the Treaty Office which are vital for the continuity of activities have been highlighted in italics in the schedule. These are:

- Original treaties
- Instruments of ratification, accession or denunciation
- Declarations relating to a treaty
- Procès-verbaux related to treaties.

4. Signatures

	Name	Signature	Date
Head of Division	Ana Isabel Gomez Heredero		
Records and archive correspondent	Gabrielle Dumont		
Head of Information Life Cycle Section	Gesa Büttner		

Series: title, description	Master/ copy	Medium, format & storage	Retention period	Disposition	Access classification level	Notes / Rationale	Folder structure
C.30.010. Safeguarding treaties and their legal acts							
RS010 Original treaties The original bilingual treaties are kept safe for preservation (scans with signatures) and legal reasons (paper). The texts of treaties are made available for communication purposes via the series RS090 Treaties and explanatory reports – published versions. Include: - Treaty - Certificate of corrections by the Secretary General	Master	Paper (Legal Archives)	Permanent	Preservation	Confidential	Certificates of corrections are placed inside the original of the treaty	Alphabetically
	Copy	PDF (RMS)				Scanned versions (scanning including OCR, carried out internally)	
RS020 Treaty folders Records documenting the relationship between a state and the treaty, including the act by which a State consents to be bound by the treaty, and the document which authorises a person to sign the treaty on behalf of the state. Include: - <i>Instrument of ratification</i> - <i>Instrument of accession</i> - <i>Instrument of denunciation</i> - <i>Declaration relating to a treaty</i> - Authorisation of notification - Confirmation of conditions for signing treaties	Master	Paper (Legal Archives)	Permanent	Preservation	Confidential		By CETS number
	Copy	Paper (Doc centre)				For daily use in Division	
	Copy	Word, PDF, E-mail (RMS)				Scanned versions (image scans with OCR)	By CETS number

Series: title, description	Master/copy	Medium, format & storage	Retention period	Disposition	Access classification level	Notes / Rationale	Folder structure
- Note to the file - Full powers of signature							
RS030 Procès-verbaux related to treaties Records prepared by the Treaty Office certifying that a State has signed, ratified, accepted, approved, acceded to or withdrawn from a treaty. Include: - Procès-verbal of signature - Procès-verbal of ratification - Procès-verbal of accession - Procès-verbal of denunciation	Master	Paper (Legal Archives)	Permanent	Preservation	Restricted		Alphabetically
	Copy	Paper (Doc centre)				For daily use in Division	
	Copy	PDF (RMS)					
RS050 UN certificates of registration Documents established by the United Nations to certify the deposit of a Council of Europe convention with the UN Secretary General.	Master	Paper (Doc centre)	Permanent	Preservation	Public		Alphabetically
	Copy	PDF (RMS)				PDF are scanned image versions without OCR.	
RS090 Treaties and explanatory reports – published versions Texts of treaties and explanatory reports prepared for communication purposes. Series may include also Notes for information, Declarations and attached documents, such as maps. Available in English, French, German, Italian and Russian. Other language	Master	Word, PDF (RMS)	Permanent	Preservation	Public	Records in this series are related to the respective document adopted by CM or on which CM took note. This is expressed in the metadata and through a relationship in RMS.	By CETS number

Series: title, description	Master/copy	Medium, format & storage	Retention period	Disposition	Access classification level	Notes / Rationale	Folder structure
versions (unilingual and bilingual) may be available, as well.							
Transitory records related to safeguarding treaties and their legal acts - Confirmations of receipt - Exchanges with national authorities - Retyped declarations for publication on the web	Master	Word, E-mail, PDF (PF)	Keep until the process is finalised	Destruction	Confidential		By CETS number, then State
C.30.020. Managing consultations for non-member states to become parties to treaties							
RS010 Treaty accession requests Requests of non-member states for accession to a treaty.	Master	Paper (Doc centre)	Permanent	Preservation	Confidential		By State or organisation
	Copy	PDF (RMS)				Scanned versions (image scans without OCR)	
RS020 Accession consultation records Records documenting the consultation related to a non-member State's accession to a treaty. Covers both formal and informal consultation procedures. Include: - Letter of consultation to member States - Positive answers - Negative answers - Request for additional information - Letter of consultation to other parties to the treaty	Master	Paper (Legal Archives)	If accession is accepted, 10 years from date of accession, else permanent	Destruction or Preservation	Confidential	Support documents are also kept by authoring entity	By State or organisation
	Copy	Word, PDF or E-mail (RMS)				For daily use in Division. Letters of consultations are general, indicating only who has signed. PDF are scanned image	

Series: title, description	Master/ copy	Medium, format & storage	Retention period	Disposition	Access classification level	Notes / Rationale	Folder structure
- Letter on result of consultation - Copy of support document created by responsible entity (if applicable)						versions without OCR.	
- State visits mission reports and related exchanges	Master	Word, E-mail (PF)	5 years	Review for useful information		If retention is extended, mission reports are filed into RMS together with the other Accession consultation records.	
RS030 Treaty accession invitations Invitations to non-member states to accede to a treaty, prepared by the Treaty Office and signed by the Secretary General.	Master	Paper (Legal Archives)	Permanent	Preservation	Public		By State or organisation
	Copy	PDF (RMS)				For daily use in Division PDF are scanned images without OCR.	
Transitory records related to managing consultations for non-member states to become parties to treaties - Draft versions of notifications - Confirmations of receipt - Correspondence with entity in charge of the treaty	Master	Word, E-mail, PDF (PF)	Keep until the process is finalised	Destruction	Confidential		By State or organisation
C.30.030. Communicating about treaties							
RS010 Notifications on treaties Notifications informing member states of the Council of Europe, and other States or organisations which are parties to the treaties, of any	Master	Word, PDF(RMS)	Permanent	Preservation	Public		By CETS number
	Copy	Paper (Doc centre)					

Series: title, description	Master/ copy	Medium, format & storage	Retention period	Disposition	Access classi- fication level	Notes / Rationale	Folder structure
ratifications, as well as any declarations and reservations that accompany them, and any withdrawal or modifications. Includes notifications on jointly managed conventions. Include: - Notifications							
- Monthly statement of notifications (note verbale of all electronic notifications)	Master	Paper (Doc centre)					Alphabetically
	Copy	PDF (RMS)				Years 2012-2016 are scanned without OCR.	
- Notifications to UN on entry into force of a treaty	Master	Paper (Doc centre)					Alphabetically
	Copy	PDF (RMS)				Years 2012-2016 are scanned without OCR.	Alphabetically
- Annual overview table of notifications about treaties (Electronic chrono).	Master	Word (RMS)			Confidential		Chronologically
- Chart of renewal of reservations	Master	Word (RMS)	Keep current	n/a	Public	Not to be declared record. Last version to be kept permanently.	Alphabetically
- Weekly notifications and cover e-mails (note verbale of all electronic notifications)	Master	E-mail (PF)	1 year	Destruction	Public		Alphabetically
RS020 Treaty event communications Exchanges on the organisation of events related to a treaty ceremony (e.g.	Master	Paper (Doc centre)	5 years	Destruction	Restricted		By year
	Copy	Word, E-mail or PDF (RMS)					

Series: title, description	Master/ copy	Medium, format & storage	Retention period	Disposition	Access classification level	Notes / Rationale	Folder structure
signature) with Permanent Representations and CoE entities, such as the Protocol. Include: - Exchange with Permanent Representations - Exchange with CoE entities on management of the event - Listings of treaty events							
RS030 Treaty information requests Internal and external inquiries related to treaties, including answers.	Master	Paper (Doc centre)	5 years from end of procedure	Review for useful information	Confidential		By CETS number or Source
	Copy	E-mail, PDF (RMS)					
Transitory records related to communicating about treaties - Confirmations of receipt	Master	Paper (Doc centre) Word, E-mail, PDF (PF or mailbox of staff member concerned)	1 year from date of confirmation	Destruction	Internal		By CETS number or State
		Word (PF)	Keep current	n/a			n/a
- Draft versions of notifications - Models of notes verbales of notifications							
C.30.040. Managing external translations of treaties							
RS010 Sources of translated texts Documents providing evidence of provenance of translations of treaties (translation source).	Master	E-mail, PDF (RMS)	Permanent	Preservation	Confidential		By CETS number or language and source

Series: title, description	Master/ copy	Medium, format & storage	Retention period	Disposition	Access classification level	Notes / Rationale	Folder structure
C.30.050. Safeguarding legal acts relating to partial agreements							
RS010 Partial agreement legal acts Directorate of Legal Advice and Public International Law is the depositary for the legal acts relating to partial agreements. The original partial agreements are kept safe for preservation (paper) and legal reasons. Series does not include the agreements for EDQM and Development Bank which are filed as treaties. Include: <ul style="list-style-type: none"> - Partial agreement - Accession request by State - Instrument of accession or withdrawal - Confirmation of registration from Private Office or managing entity - Can also include a link to the related bilateral agreement 	Master	Paper (Legal Archives)	Permanent	Preservation	Confidential	Public access is provided on the Treaty Office website via a link to the CM resolution for each partial agreement.	By Partial Agreement
	Copy	PDF, Links (RMS)				PDF are scanned images without OCR.	
		Paper (Doc Centre)				For daily use in Division	
RS020 Partial agreement exchanges Correspondence related to registration of and accession to partial agreements: <ul style="list-style-type: none"> - Accession request by State in negative cases - Confirmation of receipt by 	Master	E-mail, PDF (RMS)	If accession is accepted, 1 year from date of accession, else permanent	Destruction or Preservation	To be decided by owner	Correspondence received for information purpose, but not kept by SG.	By Partial Agreement

Series: title, description	Master/ copy	Medium, format & storage	Retention period	Disposition	Access classification level	Notes / Rationale	Folder structure
SG of accession request - Substantial exchanges with other divisions - Invitation by SG in positive cases - Reply by SG in negative cases	Copy	Paper (Doc Centre)				For daily use in division.	
RS030 Register of accessions and withdrawals Register of accessions to and withdrawals from partial agreements, as well as any declarations and reservations that accompany them.	Master	"Backoffice" database (DIT server - Liferay)	Keep current	n/a	Confidential		n/a
- Annual extracts of accessions and withdrawals	Master	PDF (RMS)	5 years Last version: permanent	Destruction Preservation	Public		By type
Transitory records related to safeguarding legal acts relating to partial agreements - Electronic versions of documents mentioned above	Master	Word (PF)	1 year from end of procedure (registration)	Destruction	Confidential		By Partial Agreement, then State
C.30.060. Safeguarding bi- and multilateral agreements							
RS010 Bilateral agreements with other public associations or organisations Bilateral agreements with other international organisations, entities or associations. Examples are	Master	Paper (Legal Archives)	Permanent	Preservation	Confidential (Can be set to Public manually.)		Alphabetically
	Copy	PDF, Word (RMS)				PDFs include scanned images without OCR.	
		Paper (Doc centre)				For daily use in Division	

Series: title, description	Master/ copy	Medium, format & storage	Retention period	Disposition	Access classi- fication level	Notes / Rationale	Folder structure
co-operation agreements and memoranda of understanding. DLAPIL is the depositary for the originals of these agreements. Include: - Agreement - Reciprocal letters of acceptance between two parties on the fulfilment of the internal regulations needed for the entry into force of the Agreement							
RS020 Bi- and multilateral agreements between states Bi- and multilateral agreements between states, in which Council of Europe is not a party, but serves as a depositary for the original. Include: - Text of agreement - Reciprocal letters of acceptance between two parties on the fulfilment of the internal regulations needed for the entry into force of the agreement	Master	Paper (Legal Archives)	Permanent	Preservation	Confidential or Public (Can be set to Public manually.)		Alphabetically
	Copy	PDF, Word (RMS)				Paper (Doc centre)	
RS030 Bilateral agreements with states Bilateral agreements between Council of Europe and states, such as seat agreements. Directorate of Legal Advice and Public International Law is the depositary for the original	Master	Paper (Legal Archives)	Permanent	Preservation	Confidential or Public (Can be set to Public manually.)		Alphabetically
	Copy	PDF, Word (RMS)				Paper (Doc	

Series: title, description	Master/ copy	Medium, format & storage	Retention period	Disposition	Access classification level	Notes / Rationale	Folder structure
of these agreements. Include: - Text of agreement - Reciprocal letters of acceptance between two parties on the fulfilment of the internal regulations needed for the entry into force of the agreement		centre)					
Transitory records related to safeguarding bi- and multilateral agreements - Copies of documents mentioned above - Exchanges with SG	Copy	E-mail, Word, PDF (PF)	1 year from end of procedure (registration)	Destruction	Confidential		By internal number
A.10.090. Document management							
Treaty Office templates Templates for legal acts related to Council of Europe treaties and partial agreements, as well as model final clauses for conventions, additional protocols and amending protocols.	Master	Word (RMS)	Keep current	n/a	Public	Not to be declared as records	By type
Chronos Copies of all incoming correspondence.	Copy	Paper (Doc centre)	1 year from the end of the calendar year in which the document is dated	Destruction	Confidential	Copies kept for administrative purposes. The master is filed with the records for the specific activity.	By year
A.90.010. Providing legal advice							

Series: title, description	Master/ copy	Medium, format & storage	Retention period	Disposition	Access classi- fication level	Notes / Rationale	Folder structure
RS030 Legal advice on Council of Europe instruments							
Legal advice on Council of Europe treaties Records documenting legal advice on treaties provided in response to requests made by Council of Europe entities or committees. Include: <ul style="list-style-type: none"> - Request - Note to the file - Meeting minutes - Advice 	Master	Paper (Doc centre)	Permanent	Preservation (Business need)	Confidential	The CM will publish the final advice with the treaty.	By treaty
	Copy	E-mail, Word (RMS)					
C.90.080. Web management							
Treaty Office website Treaty Office section on the Council of Europe website, consisting of web pages. Used to provide public access to texts of treaties and agreements (in case they are public), as well as status of signatures, ratifications, declarations and reservations made by States, and notifications issued by the Treaty Office since 2005.	Master	Electronic (Liferay)	Keep current		Public	Archiving via Archive-IT	Web content structure